

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

UNITED STATES OF AMERICA

vs.

Case No. 8:03-CR-77-T-30TBM

GHASSAN ZAYED BALLUT

**DEFENDANT GHASSAN BALLUT'S UNOPPOSED
MOTION FOR RETURN OF PROPERTY IN EVIDENCE**

The Defendant, GHASSAN ZAYED BALLUT, by and through his undersigned counsel, hereby requests this Honorable Court to direct the return of certain property in evidence, specifically the Defendant's United States passport entered into evidence as Government's Exhibit 713, and as grounds therefor states:

1. The Defendant's passport was seized from the possession of the Defendant at the time of the search of his house on February 20, 2003, and was continuously in the custody of the Government until its admission into evidence at the trial of this cause as Government's Exhibit 713.

2. The proceedings were concluded with jury verdicts of not guilty as to all counts charged against the Defendant, and no further purpose is served by retaining the Defendant's passport in evidence as the passport is no longer needed as evidence or as part of a record on appeal.

3. Because of his acquittal and discharge in this cause, the Defendant is not prevented by any restriction from travel outside the United States, and the Defendant requires his passport to travel outside of the United States.

4. The Defendant would request that his passport be returned directly by the Court to him or to his undersigned counsel.

5. The Defendant's undersigned counsel has contacted Assistant United States Attorney Walter Furr concerning this motion, and Mr. Furr has no objection to this motion.

WHEREFORE, the Defendant requests this Honorable Court to direct the return of Government's Exhibit 713, the Defendant's United States passport, to the Defendant.

Respectfully submitted,

/s Bruce G. Howie

Bruce G. Howie

Florida Bar No. 263230

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Certificate of Service

I HEREBY CERTIFY that on December 7, 2005, I electronically filed the foregoing with the Clerk of the Court by using the CM/ECF system which will send a notice of electronic filing to the following:

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